

## PRESIDENT TREATS HAWAII DEMOCRATS IN SHABBY MANNER

This is What Judge Stuart Tells  
Senators Shafroth and Thomas  
of Colorado

### INSISTS RESIGNATION MUST BE ACTED UPON

Honolulu Jurist, However, Re-  
frains From Giving Reasons  
For Retiring From Bench

"I admit that I feel hurt by the manner in which the President has treated the Democrats of Hawaii," said Judge Stuart, third judge of the first circuit court, who wrote to Senators Shafroth and Thomas of Colorado in letters in which he insisted that his resignation be filed immediately with the department of justice in Washington.

Judge Stuart refuses to withdraw his resignation as a jurist of the court. Some time ago, immediately after news reached here of the confirmation of the nomination of Chief Justice Robert C. and Circuit Judge Whitney, both Republicans, by the United States senate, that he had tendered his resignation and that the resignation took effect in Washington.

The resignation, it developed yesterday, has been in the hands of Senator Shafroth for some time. The Colorado senator had been asked to hand it in to the department of justice, should a certain event transpire. The event transpired, but Senator Shafroth held on to the resignation. He not only did this, but returned it with a letter received by Judge Stuart yesterday from him, the purpose being that Judge Stuart should reconsider his decision and remain in the local bench.

### Refuses To Reconsider

Senator Thomas also wrote to Judge Stuart. The jurist has not made public the contents of either Senator Shafroth or Senator Thomas' letter, but it is fairly inferred that he was a good bit of both to stick to the bench. The judge, however, refuses to reconsider his decision and he insists that Senator Shafroth file his resignation. The letter was returned to the Colorado senator in the mail yesterday with the request that "you will please file same."

Whatever the Colorado senators wrote and whatever reasons they gave in their attempt to dissuade Judge Stuart from resigning, the jurist will not say. In his letter, written jointly to Senators Shafroth and Thomas, Judge Stuart says:

"I admit that I feel hurt by the manner in which the President has treated the Democrats of Hawaii. I do not seek to argue the matter. The President has the power to do as he has done, and that is all."

Neither would Judge Stuart give any definite reason yesterday for publication to accept or for his resignation. He would not argue the point. His letter is as follows:

"Honolulu, Hawaii, April 18, 1916.  
"Senators John F. Shafroth, and Charles R. Thomas,  
"United States Senate,  
"Washington, D. C.  
"Dear friends—I acknowledge receipt of your letter of the 14th inst., received by me a few days ago. I also acknowledge receipt of your letter of the 15th inst., received by me yesterday, enclosing my resignation, which I now return to him, and ask that he will please file same."

"The arguments you have used since from your kind feelings toward me, for which I am grateful, I sincerely hope that neither of you will consider me unreasonable. It would be a great deal to me if I thought you would blame me in the least."

"I admit that I feel hurt by the manner in which the President has treated the Democrats of Hawaii. I do not seek to argue the matter. The President has the power to do as he has done, and that is all."

"I write you a separate letter in regard to other matters."

"Very truly yours,  
"T. B. STUART."

### Judge Whitney Qualifies

Inasmuch as Senators Shafroth and Thomas were largely instrumental in securing Judge Stuart's appointment to the Hawaiian circuit bench, it is presumed, the local jurist prefers to have his resignation filed in the department of justice at Washington through them. This is simply a matter of courtesy, otherwise Judge Stuart could as well have forwarded his resignation to the department directly. It will be at least two weeks before it will be learned if Senator Shafroth has now twice requested him to that, is, file that resignation.

Hon. William Locke Whitney, second judge of the first circuit court took the oath of office yesterday before Chief Justice Robertson in the supreme court. A copy of the oath was made of record in the supreme court and an attested duplicate will be filed in the department of justice in Washington. On the signed oath is given the date of birth of Judge Whitney as of February 8, 1876; entry on duty as of April 18, 1916, and filed at nine forty in the morning of the same day.

### Is Franklin a Candidate?

Judge Whitney's commission arrived in the Sierra mail on Monday, as published in The Advertiser yesterday, but the commissions of Chief Justice Robertson, Federal Judge Vaughan and Circuit Judge Quinn have not arrived yet. They are expected shortly. Judge Vaughan will not qualify, however, until Hon. Samuel C. Huber, who will suc-

## Girl Is Restored To Father Almost Forgotten By Her

Presents Pathetic Picture At  
Wharf When He Leaves Castle  
Home Forever

A blue-eyed, brown-haired miss of eight, whose face was stained with much weeping, clutched a yellow doll to her bosom with one hand; the other she held tightly to a stranger's arm.

On the passenger list of the Mauna Loa, which sailed for Kauai yesterday afternoon, she appeared as Miss D. Lopez. That initial was for Dominga. Among the deck passengers was a man named Lopez, a little, weazened Spaniard, a laborer on Kolon plantation, Kauai.

He was Dominga's father. Yet she shrank from him when he kissed her, and she was afraid. But she had wept for the stranger woman and Miss Gould, superintendent of the Castle Home, had quieted her somewhat, and she had promised "not to cry."

It was in August, 1914, that little Miss Lopez's mother died, and she was brought to the Castle Home. Last June her father came to Honolulu and asked for her custody. He consented to wait six months.

Sunday he came again. Miss Gould could do nothing to keep the daughter at the home; Lopez was obdurate; he was the parent, and that was enough; and Circuit Judge Whitney and the Spanish consul could do nothing.

Therefore Dominga had to sail for Kauai yesterday. She hardly knew her father; she almost had forgotten him; and she did love the Castle Home.

And it was doubly bad because she lost all her knowledge of Spanish while here, and the father speaks no English.

It was not surprising that a girl, eight years old on May 12, 1916, should bear a tear-stained face.

## NOTE TO GERMANY TO BE VIGOROUS

(Continued from page 5.)  
keep the promises she has made so often and so often broken.

His note to Germany will, it is said, be equally strong in its language, the most vigorous, indeed, which the United States has sent.

Ambassador Gerard will be instructed to inform Doctor von Bethmann-Hollweg that if Germany really desires to continue friendly relations with this country she must show by her acts, instead of her mere words, that such is the case.

The note, it is added, will insist that submarine commanders who have been guilty of inhumanity in sinking or attacking unarmed and defenseless passenger ships, ignoring utterly the safety of the passengers thereon, are to be punished.

Ambassador von Bernstorff told the secretary of state yesterday that under no circumstances will Germany mitigate the severity of her submarine campaign, which he again described as retaliation for the food blockade by Great Britain. He added, however, that his government, is attempting to conduct the warfare in accord with international law, and her assurances to the United States. He repeated his assertion that Germany stands ready to "make any amends for unauthorized acts of her submarine commanders."

### PROMOTION COMMITTEE SAILS FOR GARDEN ISLE

Members of the promotion committee, accompanied by several tourists, left in the Mauna Loa yesterday for Kauai, where the regular out-land meeting will begin this afternoon.

Plans for the meeting were finally outlined at a session at the Commercial Club yesterday noon.

The members of the committee making up the party are: E. A. Berard, (chairman), George Angus, W. D. Adams, J. D. McInerney, W. O. Aiken, C. H. Vickers and A. P. Taylor. The party was also accompanied by J. Du Fresnois, the motion picture expert, who is planning to take a number of "movie" scenes of the Garden Islands.

ceed him as United States district attorney here, arrives about May 13, next, from the mainland.

The name of C. S. Franklin, nephew of Malcolm A. Franklin, collector of customs, a young lawyer in the office of Thompson, Milverton & Cathcart, was added yesterday to the list of possibilities one of whom is slated to succeed Judge Stuart. Lawyer Franklin, although young in years and in the practice of law, is well connected and comes from Columbus, Mississippi.

## KALAKAUA AVENUE PARKING AT MOANA MAY BE TORN OUT

Proposition Is Made To Super-  
visors In View of Proposed  
Hotel Extensions

### WOULD IMPEDE TRAFFIC IS ARGUMENT ADVANCED

Hollinger, Hatch, Larsen and  
Horner Line Up For Removal  
of Center Plot

The city supervisors have decided that they committed a grievous error when they caused the parking strip to be installed in Kalakaua avenue in front of the Moana Hotel, in Waikiki, and that it ought to be removed at an early date.

In justice to the mayor and Supervisors Logan and Arnold it must be stated that this opinion either may not or does not include them, for the mayor was not present last night when the subject was up for discussion; Logan, presiding in Lane's absence, did not voice his ideas on it and Arnold stoutly opposed it.

Supervisor Hatch presented a motion on the topic which would have carried, however, had the body had been advised by Arnold that the city engineer will make a report on the proposal to tear out the parking, in a general statement which that official is to present to the board in the next week or ten days. And that is where the matter rests.

### Four Favor Removal

Hollinger, Hatch, Larsen and Horner favor removal of the parking; at least they said so last night. The Territorial Hotel Company has protested against the improvement, which is very nearly completed at present, on the argument that it seriously impedes traffic, especially on evenings when there are parties in progress at any of the hotels in the beach or at the Outrigger Club. As motor cars may park only on the one side of the avenue, such vehicles quickly create congestion which becomes a menace to traffic generally. Moreover, the hotel company asserts, by building the two great wings onto its present structure and the tourist season is in full swing the condition in the street will amount almost to continuous congestion.

This argument was enlarged upon in its many phases by the supervisors in their discussion. Arnold protested that one of the reasons advanced when the parking was discussed, prior to its installation, was that it would serve as an automatic regulator of traffic.

### Ample Space For Automobiles

Moreover, said he, motorists could find ample space for their machines farther out toward Kapiolani Park. The parking's chief purpose, however, is to enhance the beauty of the street, making it a boulevard that would attract attention of tourists. But if the supervisors must have it out now, then all other property owners in the neighborhood have the same right as the Moana Hotel, and if they ask it, the board, to be consistent, must remove all parking in the avenue from in front of the Seaside Hotel out to Kapiolani Park.

Hatch declared that in such affairs public convenience always should receive first consideration. He believed public convenience demanded more street space in the vicinity of the Moana than it has with the parking strip now occupying the center of the avenue. It helps make Kalakaua a beautiful road, he admitted, but does not give due regard to the business of the thoroughfare and of the big hotelery which shortly is to increase vastly that business for the benefit of the municipality and the tourists.

### Street Railway In Center

Horne said the street railway should be in the center of Kalakaua avenue, thus giving space for parking of automobiles on the mauka as well as on the makai side. Hatch wanted to have the city engineer instructed to prepare a report on the practicability of removing the improvement, "but withdrew his motion to that effect, when informed by Arnold that Engineer Collins intends to incorporate such a statement in a general report, which will be forthcoming in the near future."

## JAPANESE ARRESTED AS CHE-FA BANKER

Did Not Know System and Lost  
Every Drawing

Caught in the act of receiving money and tickets as the banker of a che-fa game, G. Tokemoto, a Japanese, was arrested by detectives early yesterday afternoon, and charged with assisting and maintaining a che-fa bank.

When brought to the police station, Tokemoto confessed to having run the game, and in a fit of anger said:

"Yes, I run game, but I don't know very much money. I don't know system. People who play with me always know the winning word. Every day I lose. That's why I no care if I am arrested."

### SERVES THE WHOLE FAMILY.

The fame of Chamberlain's Cough Remedy is world wide. It is good for the deep seated cough of the adult or the group and whooping cough of the children. The same bottle serves the whole family. For sale by all dealers. Benson Smith & Co., agents for Hawaii.

## WAILUKU LAWYER DEMANDS PROBE OF RECENT ELECTION

Eugene Murphy Starts Investi-  
gation By Maui County Dem-  
ocratic Committee

### HANA PRECINCT VOTE IS LIKELY TO BE THROWN OUT

Local Bourbon Leaders Admit  
That This Will Reduce Doctor  
Raymond's Chance

Politics on Maui will be investigated by the Maui county committee before the territorial central committee of the Democratic party has a chance to act. This is the rule of the Democratic party. If within ten days after an election protests are not filed with the members of the several county committees against proceedings had at the election there can be no investigation.

Eugene Murphy, the Wailuku attorney, and a candidate at the late Democratic primary election for alternate to the national convention has written to John H. Wilson the national committee man elect giving his views on the late election. In his letter he says:

### Called It Dirty Fight

"After one of the dirtiest fights that can ever be recorded in political annals it would appear that both Morris and Raymond are tied for the delegate ship each having 210 votes. I am reliably informed that a man named Hana deliberately fixed things at Hana so that one man voted 35 ballots, claiming to be a proxy for that number of voters. In my opinion the reason for not having the proper number of votes in each election here is that we have a number of renegades with us."

"The saloon interests were worked especially in Lahaina on the ground that their licenses would be lost unless things were 'fixed,' and having the voters register in the Hana saloon. Don't think that I am sore because I did not get everything, but for Heaven's sake let us show up the dirty methods. I am ready with every cent I have and all the work I can do."

"We have a chance next fall and let us begin by throwing the crooks out at this time and showing up their work. No party has ever survived by this crooked work and you can count on me to go the front and fight it out."

### May Throw Out Precinct

With the vote standing 210 for each candidate on Maui and the protest that will be lodged with the county committee against the manner of voting proxies in Hana, the heads of the party in Honolulu think that there will be nothing to it but that the Hana precinct will be thrown out.

### This Will Take Fifty-one Votes Away

From Raymond leaving Keokahala the winner. Even if there is no recount of the Hana votes it is claimed that with the fourteen votes Keokahala got in Pukou and the votes he has in Halawa he will get more than Raymond. The latter got but seven votes in Pukou and in Kalaupapa he got five more votes than Keokahala. It is figured out that while on Maui the candidates are tied, Molokai will give the election to the McCandless candidate by two votes.

## SUICIDE ATTEMPTED BY POISON ROUTE

Frank Menser, Discharged Sol-  
dier. Wearies of Domestic  
Trouble and Court's Death

Despondent over the fact that his wife left his home, which is situated in a lane near Iwilei, Frank Menser, a discharged soldier and a chauffeur on an Iwilei automobile stand, attempted to end his life yesterday by swallowing the contents of a two-ounce bottle of iodine.

The city ambulance was rushed to the scene and conveyed the man, who was unconscious, to the emergency hospital, where prompt work by Emergency Surgeon Ayer and his assistant saved the life of the would-be suicide. According to Menser, who is married to a Portuguese-Hawaiian girl, on several occasions he found his wife in company with men in the segregated district, and in each instance took her home. Finally, in a fit of anger, she left him altogether.

"It was too much for me," said Menser, "so I took the iodine to end it all."

Mrs. Menser called at the emergency hospital last night to see her husband, and after a long conversation, in which she promised to reform, the couple left the police station.

### FORBES WILL COLLECT FOR AFFIRMATIVE ACT

Charles R. Forbes, superintendent of public works and chairman of the public utilities commission, is to receive \$170, his March pay for the latter post. Attorney General Staiback yesterday answered an inquiry from Auditor Fisher, asking if a member of the commission could act alone in the affirmative. The claim for five days' pay at ten dollars per diem is perfectly legal, says the attorney general.

## CRUISER ST. LOUIS TO RELIEVE ALERT

Warship Will Take Station At  
Pearl Harbor Base As Sub-  
marine Tender

### ALLEGED STRONG ARM MAN TAILED

Ah Hing Accused of Beating Chi-  
nese Editor Held Under  
\$750 Bond

That the cruiser St. Louis, now stationed at the Bremerton navy yard, has been ordered to Honolulu to relieve the submarine tender Alert and will arrive in this port about the latter part of July, was the report received in naval circles here yesterday.

The St. Louis is a first-class cruiser, built in 1905, and a sister ship to the Milwaukee and Charleston. She is of 9700 tons displacement, length 424 feet and has a battery of fourteen six-inch guns. Having been in reserve, where she received a complete overhauling, at the Bremerton navy yard, the St. Louis will be in first-class condition when she arrives to mother the submarines.

The Alert, which has been stationed as a submarine tender since August, 1914, has been unable to house the members of the submarine division, and has been used as a machine shop principally. The men of the flotilla being quartered ashore.

It is said that the Alert, when relieved, will be dispatched to Mare Island and Navy Yard, where she will be placed in reserve.

### That An Hing, Alleged Strong Arm

man of the See Yup Chinese Society, was ordered to assault Ching Yui Hoong, editor of the Chinese newspaper, Wai Hing Pau, because of his editorials in favor of Yuan Shih-kai and against the Sun Yat Sen, was the statement made by certain prominent Chinese politicians last night.

An Hing appeared in the police court yesterday morning, in answer to a charge of assault and battery preferred against him by Hoong. Attorney Lorin Andrews, who had been retained to assist in the prosecution, asked that a bond of \$3000 be fixed against Hing. The court set the amount at \$750, and Hing was released on bond.

A great deal of agitation and ire was aroused among the Chinese yesterday and last night, resulting from mass meetings held by the different tong, in which the defenders of the Yuan Shih-kai rule, bitterly attacked the methods employed by the See Yui Tong, followers of Sun Yat Sen.

Up to late last night no open demonstration had been made by either the Lung Goo and See Goo Tong, which are aligned politically with Yuan Shih-kai, or the See Yui Tong, which are opposed to Yuan's rule.

Ching Yui Hoong, is suffering from severe wounds over his right eye, and across the chest, said to have been inflicted by long knuckles. An Hing, who is alleged to have appeared in the police court several times, charged with assault, accused Hoong on the street, asked his name, and upon receiving an answer, the prosecution says, started to assault him with lead knuckles.

Sam Hop, a Chinese ball player, who was standing on a corner nearby saw the assault, and ran to the assistance of Ching. An Hing, then started to run, but was overtaken by Sam Hop, who overpowered him and turned him over to the police.

## THINKS THIEVES ARE FROM HONOLULU

SANTA BARBARA, March 24.—A clever thief stole \$1000 in jewelry from a trunk belonging to Mrs. G. H. Whitelaw. The theft was discovered by Mrs. Whitelaw Tuesday at noon. She had placed the jewelry in the trunk in a night before. Every effort to suppress news of the theft has been made. Mrs. Whitelaw refers all inquiries to detectives who are working on the case. The Whitelaws have recently returned from Honolulu and it is believed that the thief followed them from that city. Included in the missing jewelry is a diamond platinum bracelet, valued at \$2000; wrist watch set in diamonds, valued at \$600; a pair of earrings, valued at \$500; gold and ivory Chinese bracelet, valued at \$500; gold mesh bag, sapphires, \$500; and other jewelry of large value.

### QUEEN-STREET SEWER WILL BE CONSIDERED

The Oahu Loan Fund Commission will hold an important meeting at eleven o'clock on Friday morning. The long mooted question of the Queen street sewer will be taken up for discussion and it is believed that the commission will take action. The report of Governor Pinkham on the Hillbush Glen reservoir will be submitted to the commission, it is expected.

### FOOTLIGHTS CLUB WILL HONOR WILLIAM LEWERS

The Footlights Club yesterday announced plans for a dinner dance to be given on April 29, in honor of William Lewers. This is the date of the last production of the "Taming of the Shrew."

## PROPOSED LAND SALE PROTESTED

Supervisors Object To Territorial  
Deal With Moana Hotel and  
Will Oppose

### UTILITIES COMMISSION TO ARBITRATE DIFFERENCES BETWEEN HOME- STEADERS AND RAILROAD

In a letter to Rev. Hans Isenberg, president of the Lihue Plantation company, made public yesterday, Governor Pinkham said that the Territory will grant the twenty-one year right-of-way for the proposed railroad, asked by the plantation, but refused to give the company twenty-one year right-of-way for its dunes, ditches, and existing railway, also asked for. The text of the letter is as follows:

"Dear Sir—Replying to your company's communication and proposals under date of April 9, 1916, and your later verbal suggestions, permit me to state as follows:

"On October of the year 1917, the lease, at an annual rental of Twelve Hundred Dollars per annum, held by your company on the Land or Ahupua'a of Wailua-uka, Kauai, comprising 17,455 acres, more or less, of which about 2700 acres are now under cultivation, expires, and, with all the improvements of whatever nature and condition, including all water and water development pertaining thereto, reverts to the Territory of Hawaii without exception, and all these lands are the Forest Reserve and necessary reservations for the general public good are, under the Organic Act, subject to homesteading as provided therein, and will be so treated by this administration."

"On July first of the year 1921, the lease now held by your company, at an annual rental of Eight Hundred Dollars, on the lands Wailua-kai, Kauai, and known as the Linderman lease, comprising 2400 acres, more or less, of which 450 acres are now in cane and 400 acres in rice, and all improvements thereon will revert to the Territory of Hawaii and under the Organic Act be subject to homesteading."

"Your company has in paragraph No. 2 of its letter of April 9th stipulated:

"You to give us a right of way for the term of twenty-one years for our present railroads, ditches, flumes, etc., situated on public lands."

"Verbally you expanded the 'etc.' to include bridges, trestles, tunnels, roads, etc."

"The above utilities are about to become the sole property of the Territory of Hawaii, hence cannot be regarded or treated as your property, except for the brief periods to the expiration of your leases."

### Will Not Give Control

"Were this administration to entertain and grant your company's proposal No. 2, it would transfer to the Lihue Plantation Co., Ltd., practically the absolute control of Wailua lands and waters for twenty-one years unless the government had the disposition and means, to practically duplicate every utility and water supply you seek to control."

"The government cannot entertain your proposals as defined by paragraph No. 2 as submitted."

"The government will, in the case of the Lihue Plantation Co., Ltd., continue the policy it has put in force in the case of the Pioneer Mill Co., Ltd., Maui, and elsewhere, to wit:

"Where your company has fee simple land on which it obtains a water supply and is now desirous to convey it by ditch, trestle, pipe, flume or tunnel over government lands to other company owned fee simple land, the government will, on reasonable terms and time, grant a license for the purpose designated."

"Will Grant Rights of Way  
"Where transportation facilities are similarly involved, the government will by license grant necessary rights of way over government lands."

"The above is conditioned on the granting by the Lihue Plantation Co., Ltd., to the Territory of Hawaii of similar rights of way on the fee simple land of said company and under similar conditions."

"The Territorial government will grant a license for twenty-one years for a right of way for a railroad from the point on the boundary between the fee simple lands the Lihue Plantation Co., Ltd., and the government lands described in what is known as the Linderman lease at which the railroad now exists, over government lands as described in your proposals to the South boundary of Ololoha, with a branch line to such a point as may be mutually determined on the boundary line of the Kapapa homesteads, Series No. 2."

### Utilities Commission Arbitrates

"Should there be any disagreement as to transportation or rates between the Kapapa homesteaders and the Lihue Plantation Co., Ltd., it shall be submitted to the Public Utilities Commission and their decision shall be final."

### Cotton Rice Bags Too

Rice is being shipped to the Coast in cotton bags, burlap bags being held at too high a figure to warrant their further use for this purpose. As the quality of the cereal is more important than its container there will probably be no change in prices due to the substitution.

### Give Those Worn Nerves A Rest

Housewives who are often "all unstrung" are apt to think it due entirely to family cares.

But nervous troubles often come from kidney weakness, and then the best help for it is to help the kidneys.

When the kidneys are slowed up from a cold, or some unseen cause, their work of filtering the blood is hindered. Poisonous uric acid, which the kidneys should throw off, clogs the blood, and the nerves are constantly irritated.

Uric acid poisoning causes nervousness, "blues," crampings, worry, headache, dizzy spells, tiredness, rheumatic pains and indigestion, and if allowed to run on, heart disease, dropsy, gravel and Bright's disease.

Doan's Backache Kidney Pills have helped thousands of tired, nervous women. They are good for backache, too, and for bladder troubles, and are harmless.

When Your Back Is Lame—Remember the Name. Don't simply ask for a kidney remedy—ask distinctly for Doan's Backache Kidney Pills and take no other. Doan's Backache Kidney Pills are sold by all druggists, and storekeepers at 50c a box (six boxes \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., or Benson, Smith & Co., agents for the Hawaiian Islands.

## PINKHAM TELLS LIHUE WHAT HE WILL DO FOR IT

Reciprocal Rights-of-Way Will  
Be Granted If Plantation  
Agrees To Do Same

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